

UNITED STATES DISTRICT COURT

for

NORTHERN DISTRICT OF GEORGIA

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

MAY 21 2009

JAMES N. HATTEN, Clerk
By: [Signature] Deputy Clerk

U. S. A. vs. Michael Foster

Docket No. 1:05-CR-403-CAP-6

**SUMMONS AND ORDER TO SHOW CAUSE
WHY SUPERVISED RELEASE SHOULD NOT BE REVOKED**

COMES NOW Donna M. High PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Michael Foster who was placed on supervision for the offense of Possession of Stolen Firearms, 18 U.S.C. 5922(j), 924 (a) and 2, by the Honorable Charles A. Pannell, Jr. Sitting in the court at Atlanta, on the 10th day of August, 2006 who fixed the period of supervision at sixty (60) months, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

The defendant shall pay any financial penalty that is imposed by this judgment, and that remains unpaid at the commencement of the term of supervised release. The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer and unless the defendant is in compliance with the installment payment schedule.

The defendant shall not own, possess or have under his control any firearm, dangerous weapon or other destructive device.

The defendant shall participate in the home confinement curfew program for a period of six (6) months and abide by all the requirements of the program which include electronic monitoring or other location verification system.

The defendant shall submit to a search of his person, property, real or personal, residence, place of business or employment, and/or vehicle(s) at the request of the United States Probation Officer. The defendant shall permit confiscation and/or disposal of any material considered contraband or any other item which may be deemed to have evidentiary value related to violations of supervision.

On January 30th, 2008, the defendant's probation was revoked and he was remanded to the custody of the Bureau of Prisons for a period of six (6) months with two (2) years supervised release to follow.

On February 4th, 2009, the defendant's conditions were modified to add drug and alcohol treatment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

I. Violation of Statutory Condition (Possession of a Controlled Substance): In that the defendant tested positive for Marijuana on March 16th, 2009, March 28th, 2009, April 8th, 2009, April 22nd, 2009, and April 29th, 2009.

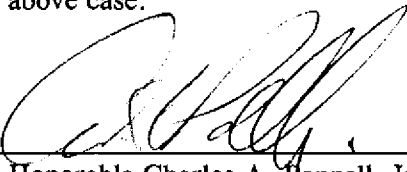
II. Violation of Special Condition (Failure to Participate in drug and alcohol treatment under the guidance and supervision of the United States Probation Officer): In that the defendant failed to report for random drug testing on April 18th, 2009 and May 2nd, 2009.

PRAYING THAT THE COURT WILL ORDER Michael Foster to appear before the Court on _____ at _____, as directed to show cause why Supervised Release should not be revoked.

ORDER OF COURT

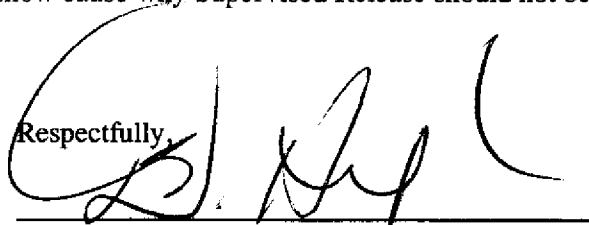
Considered and ordered this 20 day of
May, 2009

and ordered filed and made a part of the records
in the above case.



Honorable Charles A. Pannell, Jr.
U. S. District Court Judge

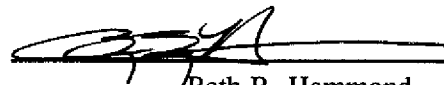
Respectfully,



Donna M. High
U. S. Probation Officer

Place: Atlanta, Georgia

Date: May 18, 2009



Beth B. Hammond
Supervising U.S. Probation Officer